04-08-05

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PATENT ATTORNEY DOCKET NO. 03213616

THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re: application of:

Thomas Viebach and Fritz Pauker

Serial No.: 10/718,238

Filing Date: November 19, 2003

For: ENDOSCOPE HEAD

Commissioner for Patents Mail Stop: IDS P.O. Box 1450

Alexandria, VA 22313-1450

Group Art Unit: 3739

Examiner: UNKNOWN

CERTIFICATE OF MAILING BY "EXPRESS MAIL" "EXPRESS MAIL" Mailing Label No. EV 113358995 US

Date of Deposit: April 7, 2005

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By: Timothy Hubalik

Signature of Person Mailing Papers

TRANSMITTAL LETTER

Dear Sir:

Transmitted herewith for the above-captioned patent application are:

- 1. Information Disclosure Statement Under 37 C.F.R. §1.97(b);
- 2. Form PTO/SB/08A Information Disclosure Statement by Applicant with copies of references listed therein, and a foreign search report; and
- 3. Postcard acknowledging receipt of same.

If there are any additional fees due in connection with the filing of this Response, please charge the fees to our Deposit Account No. 13-0019.

By

Respectfully submitted,

David M. Thimmig

Attorney Reg. No. 36,034

Dated: April 7, 2005

MAYER, BROWN, ROWE & MAW LLP P.O. Box 2828 Chicago, IL 60690-2828 (312) 701-8593 Customer No. 26565

PATENT ATTORNEY DOCKET NO. 03213616

THE UNITED STATES PATER	NT AND TRADEMARK OFFICE
THE UNITED STATES PATER Therese Vishash and Exita Poulser) Group Art Unit: 3739
Thomas Viebach and Fritz Pauker) Examiner: UNKNOWN
Serial No.: 10/718,238	CERTIFICATE OF MAILING BY "EXPRESS MAIL" "EXPRESS MAIL" Mailing Label No. EV 113358995 US Date of Deposit: April 7, 2005
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For: ENDOSCOPE HEAD	Addressee" under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Mail Stop: IDS, P.O. Box 1450, Alexandria, VA 22313-1450
	By: Timothy Hubalik
	FAhlshp
Commissioner for Patents	Signature of Person Mailing Papers
Mail Stop: IDS	
P.O. Box 1450	1

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

Sir:

Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the references listed on the attached Form PTO 1449. This Information Disclosure Statement is being filed prior to the mailing of a first Office Action on the merits, and therefore it is believed that no fee is due with this submission.

Copies of the listed documents are attached along with an a copy of a foreign search report.

Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration of relevant portions thereof by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed references are material or constitute "prior art." If it should be determined that the listed references do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such references.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this statement, please charge the fee to our Deposit Account No. 13-0019.

Respectfully submitted,

David M. Thimmig

Attorney Reg. No. 36,034

Dated: April 7, 2005

MAYER, BROWN, ROWE & MAW LLP P.O. Box 2828 Chicago, IL 60690-2828 (312) 701-8593 Customer No. 26565

PTO/SB/08A (08-03) Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449/PTO

Sheet 1

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known			
Application Number	10/718,238		
Filing Date	November 19, 2003		
First Named Inventor	Thomas Viebach		
Art, Unit	3739		
Examiner Name	Unknown		
Attorney Docket Number	03213616		

			U. S. PATEN	T DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	 	Number-Kind Code ² (I known)	07/04/4007	1	3
		^{US-} 5,643,175	07/01/1997	Adair, Edwin L.	
		^{US-} 6,447,445 B1	09/10/2002	Hirano, Sota	
		US-			
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		FORE	IGN PATENT DOCL	MENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)	· MM-DD-YYYY		Or Relevant Figures Appear	T,
		WO 02/056756 A2	07/25/2002	Petersen, Hanne		
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Examiner	Date	
Signature	Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language

Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.